

REMARKS

The Office Action mailed June 28, 2004 has been reviewed and carefully considered. Claims 10 and 11 have been added. Claim 6 has been redrafted into independent form. Claims 1-11 are now pending, the independent claims being 1, 6 and 7. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 7-9 stand rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,104,792 to Lautenschlager et al. ("Lautenschlager").

Claim 7 recites, "informing, by the charging center, the telephone charge to the mobile communication exchange; and, transmitting, by the mobile communication exchange, the telephone charge received from the charging center via a base station in communication with the mobile terminal subscriber."

The Lautenschlager reference, by contrast, although disclosing that a service control facility (SCP) determines a tariff data T, "which describes the charge," fails to disclose the above-quoted features of claim 7 of the present invention.

Notably in this regard, and as evident from claim 12 of the cited reference, the terminal can confirm the telephone charge only by performing a step for calculating a separate charge on received tariff data T.

For at least this reason, the cited reference fails to anticipate the present

invention as recited in claim 7. Nor would the above-quoted features of claim 7 have been obvious in view of the cited reference.

Claim 9 is deemed to be patentable over the cited reference at least due to its dependency from claim 7.

In addition, claim 9 recites “wherein the telephone charge includes at least one of a telephone charge for a latest call, an accumulated telephone charge, and a total telephone charge. The inventive method is discussed in the specification (e.g., page 7, lines 16-19; page 9, lines 15-18; page 12, lines 5-7)

The Lautenschlager reference, by contrast, describes a request, and telephone charges for an associated future call (col. 2, lines 8-9, 20-21, 28-30, 38-39, 46-48; col. 5, line 21(22): “desired connection”; col. 5, lines 38-40: “If the subscriber A receives the tariff data T via his terminal TA, he has the possibility of selecting to continue or to interrupt the connection process”; col. 6, lines 9-10: “which then informs . . . by sending him a call CALL”; compare, in FIG. 2, the top dotted-line T, which represents the tariff data displayed on terminal TA, to the later-occurring CALL that is established subsequent to the subscriber responding by selecting to continue the process). The applied reference is accordingly informing the subscriber of the charge for a future call, rather than “a latest” call, the latter expression appearing explicitly in claim 9. For this reason too, the applied reference fails to anticipate the invention as recited in

original claim 9. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1-5 stand rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 6,061,556 to Rahman in view of U.S. Patent No. 6,195,543 to Granberg.

Item 4 of the Office Action characterizes the “mobile communication exchange” of the present claim 1 as corresponding to the radio network controller (RNC) 17 of Rahman. Although item 4 of the Office Action does not say specifically, it is presumed that it deems the “charging center” of the present claim 1 to be the charging unit 73 in Rahman.

The calculating element of the present claim 1 reads:

calculating, by the charging center, the telephone charge using the charging information received from the mobile communication exchange and informing the calculated telephone charge to the mobile communication exchange

Rahman neither discloses nor suggests any such informing by the charging center to the mobile communication exchange as set forth in the present claim 1.

Item 4 of the Office Action suggests that said informing of claim 1 of the present invention is “inherently” carried out, and cites as support lines 1-6 of column 4, and lines 23-26 of column 7, of Rahman.

The first passage merely states that the RNC 17 maintains control of the flow of data through the MSC, and that the latter sends the data to the former on a frame-by-frame basis.

This disclosure does not imply, nor even suggest:

calculating, by the charging center, the telephone charge using the charging information received from the mobile communication exchange and informing the calculated telephone charge to the mobile communication exchange

The second passage bears no apparent relevance to the proposition being advanced by the Office Action.

Moreover, as item 4 of the Office Action acknowledges, Rahman fails to disclose or suggest the transmitting step of claim 1.

Granberg discloses transmitting a telephone charge, but the disclosed transmission occurs only during the call (col. 5, line 33: "during the call"), i.e., transmission may continue only until the call terminates (col. 6, lines 11-12: "continues until the call terminates").

Rahman, by contrast, calculates charges at the conclusion of the call. This is done merely to account for charges for secondary traffic associated with the call. Rahman makes no disclosure or suggestion of transmitting these charges to a mobile terminal. Granberg, on the other hand, applies only to transmissions to a mobile terminal

during the call, i.e., at a time when Rahman would not yet have calculated charges.

For at least all of the above reasons, the applied references fail to render obvious the invention as recited in claim 1. Reconsideration and withdrawal of the rejection is respectfully requested.

As to claim 2, Rahman simply discloses calculating the charge for the primary traffic and, depending upon whether secondary traffic is included in the call, adding in the charge for secondary traffic (Rahman, claims 1 and 2).

Item 4 of the Office Action cites Granberg for time periods used in determining an Advice of Charge (AoC), but is silent as to motivation to incorporate this kind of determining into the Rahman calculation. The present applicant is unable to see any basis for the purported motivation.

For at least this reason, the proposed combination fails to render obvious the present invention as recited in claim 2.

As to claims 3 and 4, the Office Action likewise merely cites to AoC determinations without any hint of motivation to modify Rahman.

As to claim 5, Rahman fails to disclose or suggest a construction in which a total telephone charge or accumulated telephone charge can be separately displayed for a specific time desired by a mobile terminal subscriber, or in which the total telephone charge and accumulated telephone charge are selectively displayed along with a telephone

charge for a latest call just after a call is terminated. Rahman further fails to disclose or suggest that the charging center calculates the accumulated charge using the telephone charge and calculates the total charge by adding the calculated charge to a basic charge. The Granberg reference cannot make up for the shortcomings of Rahman.

Claim 6 stands rejected under 35 U.S.C. 103(a) as unpatentable over Rahman in view of Granberg and U.S. Patent No. 6,516,190 to Linkola.

Claim 6 has now been redrafted into independent form.

As item 5 of the Office Action acknowledges, Rahman and Granberg, alone or in combination, fail to disclose, feature or suggest that the telephone charge information is in the form of a short message, the latter limitation appearing explicitly in claim 6.

The Linkola reference was filed in the U.S. on December 17, 1999. The applicant of the present invention filed with the U.S. Patent Office a claim for priority under 35 U.S.C. 119 on August 30, 2000. Accompanying the claim for priority was a certified copy of the foreign application from which priority is claimed. The Office Action Summary does not acknowledge the claim for priority or receipt of the priority documents. The priority date is September 11, 1999, which precedes the effective filing date of Linkola. Accordingly, Linkola is not prior art as to the claims of the present invention, and the basis for rejecting claim 6 is invalid for at least this reason. A

certified copy of an English-language-translation of the counterpart Korean priority document for the instant application has not yet been received, but will be submitted following the filing of the instant Office Action reply.

In addition, as set forth above, the Rahman and Granberg references do not, alone or in combination, meet the limitations of claim 1, whose limitations are incorporated into claim 6. For this reason too, the proposed combination of prior art references fails to render obvious the invention as recited in claim 6.

As to the other rejected claims, each depends from a base claim, and is patentable over the applied prior art at least due to its dependency.

Claims 10 and 11 have been added to emphasize an aspect of what the applicant regards to be the invention. Claims 10 and 11 find support in the last paragraph of page 10 of the specification and in original claim 8, respectively.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

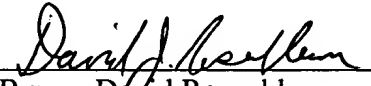
Amendment
Serial No. 09/651,771

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In the event that any additional fee is required to continue the prosecution of this Application as requested, please charge such fee to Deposit Account No. 502-470. If the Examiner has any questions regarding this Application, it is respectfully requested that the Applicants' attorney of record be contacted at the below-noted telephone number.

Respectfully submitted,

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(Signature and Date) 09/28/04